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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/826,738	04/16/2004	James D. Bledsoe	MP0985(13036/26)	1360

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EXAMINER	
SARPONG, AKWASI	
ART UNIT	PAPER NUMBER
4178	
MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/826,738	BLEDSOE ET AL.	
	Examiner	Art Unit	
	Akwasi M. Sarpong	4178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 April 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-35* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-35* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *16 April 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *04/16/2004*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-3,5-6,9-15, and 30-35 are rejected under 35 U.S.C. 102(b) as being anticipated by Okubo (2003/0058471).

Claim 1, Okubo discloses a system (Section 0069, Fig. 2) comprising:

A processor (Section 0070, Fig. 2, El. 14 and 11); and

a memory (Section 0070, Fig. 2 El. 13) comprising firmware executable by the processor to cause the processor (Fig. 3 El 35) to:

operate a print mechanism in accordance with a first state associated with a capability of the print mechanism (Section 0071 where the first state is when it is in the copying mode as disclosed in Section 0099).

change the first state associated with the capability to a second state in response to receiving first information from an external interface **(PC 21 in Fig 2);** and (Section 0104, Fig. 8).

operate the print mechanism in accordance with the second state associated with the capability. (Section 0105, Fig. 8).

Claim 2, Okubo discloses a system wherein the first state comprises a disabled state, and wherein the second state comprises an enabled state.(Section 0105, Fig. 8, where the user disable printer or copier mode to get into the mode and vice versa).

Claim 3, Okubo discloses a system wherein the first state comprises a first level of performance **(Printer mode)** (Section 0105), and wherein the second state comprises a second level of performance **(Copier mode)** (Section 0105).

Claim 5, Okubo discloses a system wherein the firmware is executable by the processor to cause the processor to: receive the first information associated with the capability of the print mechanism from a server coupled to the external interface **(PC 21 in Fig 2)**, (Section 0071, Fig. 2).

Claim 6, Okubo discloses a system wherein the firmware is executable by the processor to cause the processor to: receive the first information associated with the capability of the print mechanism from a computer system coupled to the external interface. (Section 0071, Fig. 2 El. 21 and Fig. 3).

Claim 9, Okubo discloses a system (Section 0067, Fig. 1)comprising:

a print mechanism (**Print Controller**), (Section 0069, Fig. 2 El. 10);

a print engine configured to operate the print mechanism (Section 0069 Lines 11).

means for receiving a first selection of a first capability associated with the print mechanism (Section 0071, Fig. 2 El. 12).

means for receiving first information associated with the first selection from a server (Since image processing programs are stored in the server as disclosed in section 0068, therefore the image commands are rendered from the server). and

means for changing a first indicator associated with the first capability from a first state to a second state in response to receiving the first information (Section 0075, Fig. 3 El. 16).

Claim 10, Okubo discloses a system further comprising:

a functional unit operable by the print engine (Section 0070,Fig. 2 ,El. 10);

means for receiving a second selection of a second capability associated with the functional unit; (Section 0075, Fig. 2, El. 16).

means for receiving second information associated with the second selection from the server (Since image processing programs are stored in the server as disclosed in section 0068, therefore the image commands are rendered from the server); and

means for changing a second indicator associated with the second capability from a third state to a fourth state in response to receiving the second information(Section 0075, Fig. 3 El. 16 where the third and the fourth state will be scanning and facsimile as disclosed in Section in 0067 lines 12-15).

Claim 11, Okubo discloses a system wherein the functional unit is configured to perform a facsimile function, (Section 0067 Lines 11-14).

Claim 12, Okubo discloses a system wherein the functional unit is configured to perform a scanner function. (Section 0067, Lines 13-15).

Claim 13, Okubo discloses a system wherein the first capability comprises a performance capability (It is inherent that print engine 23 has a print speed and resolution which is a performance capability).

Claim 14, Okubo discloses a system wherein the first capability comprises an upgrade capability (Section 0077, Fig. 2 El. 18).

Claim 15, Okubo discloses a system wherein the first capability comprises a functional capability. (Section 0067 Lines 11-14).

Claim 30, Okubo discloses a system wherein the firmware is further executable by the processor to cause the processor to:

operate a functional unit in accordance with a third state **(Scanning)** associated with a capability of the functional unit (Section 0067);

change the third state associated with the capability of the functional unit to a fourth state in response to receiving second information from the external interface;

(Section 0067, Lines 10-14- where the second information is received from the function selecting unit, Fig. 2 El. 20) and

operate the functional unit in accordance with the fourth state **(Facsimile mode)** associated with the capability of the functional unit (Section 0109).

Claim 31, Okubo discloses a system wherein the functional unit is configured to perform a facsimile function (Section 0109).

Claim 32, Okubo discloses a system wherein the functional unit is configured to perform a scanner function (Section 0109).

Claim 33, Okubo discloses a system wherein the capability of the print mechanism comprises a print speed. (It is inherent that the print engine 23 in Fig. 2 comprises of a print speed).

Claim 34, Okubo discloses a system wherein the capability of the print mechanism comprises a print resolution. (It is inherent that the print engine 23 in Fig. 2 comprises of a print resolution).

Claim 35, Okubo discloses a system wherein the capability of the print mechanism comprises a software or hardware upgrade. (Section 0145).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 4,7-8,16-23, and 26-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okubo (2003/0058471) in view of Hirabayashi (7231369).

Claim 4, Okubo discloses all the limitations in claim 1 as disclosed above.

Okubo does not disclose a system wherein the first information comprises an encryption key.

Hirabayashi discloses a system wherein the first information comprises an encryption key. (Col. 7 Lines 55-63). Therefore it will be obvious to one ordinary skilled in the art at the time of the invention to modify Okubo's technology with Hirabayashi's encryption technology so that users will be verified before they are granted as disclosed in Hirabayashi in Col.16 lines 49-65.

Claim 7, Okubo discloses all the limitations in claim 1 as discussed above including providing second information to a server using the external interface (Okubo: Section 0104, Fig. 8)

Okubo does not disclose wherein the firmware is executable by the processor to cause the processor to: detect a user input associated with the capability and receive the first information associated with the capability of the print mechanism in response to providing the second information to the server.

Hirabayashi discloses wherein the firmware is executable by the processor to cause the processor to: detect a user input associated with the capability (Hirabayashi: Col. 8 Lines 29-35) and receive the first information associated with the capability of the print mechanism in response to providing the second information to the server (Hirabayashi: Col. 16 Lines 1-15). Therefore it will be obvious to one ordinary skilled in the art at the time the invention was made to modify Okubo's technology with Hirabayashi's technology to include the processor's ability to be able to detect the user so that users will be verified before they are granted as disclosed in Hirabayashi in Col.16 lines 49-65.

Claim 8, Okubo (Section 0071, Fig. 2) in view of Hirabayashi (Col. 8 Lines 29-36) discloses a system wherein the firmware is executable by the processor to cause the processor to: provide the second information associated with the user input to the server by providing the second information to a computer system coupled to the external interface.

Claim 17, Okubo discloses a method comprising:

receiving a selection of a capability associated with a print engine from a user (Fig.2 El. 20) enabling the capability in response to receiving information associated with the capability from a print controller (Section 0070).

Okubo does not disclose that the information is received from the server.

Hirabayashi discloses a system where information is received from the server (Col. 12 Lines 33-50). Therefore it will be obvious to one ordinary skilled in the art at the time the invention was made to modify Okubo's method which get all it information from within the MFP with Hirabayashi's technology of transmitting the information from an external server so that user's of the system can be verified as disclosed by Hirabayashi in Col. 1 lines 45-60.

Claim 18, Okubo in view of Hirabayashi discloses a method where a receiving list of selectable capabilities from the server (Hirabayashi: Col. 12 lines 38-45) the list including the capability (Okubo: Section 0067).

Claim 19, Okubo (Section 0067, Fig. 2 El. 20) in view of Hirabayashi (Col. 19, Lines 63-67, Fig. 36) discloses a method of providing an interface for the user to select the capability from the list.

Claim 20, Okubo in view of Hirabayashi (Col. 15 Lines 37-55,Fig. 38) discloses a method, which provides an interface for the user to enter the payment information.

Claim 21, Okubo in view of Hirabayashi (Col. 15 Lines 37-55,Fig. 38) discloses a method, which provides the selection and the payment information to the server.

Claim 22, Okubo (Section 0070, Fig. 2 El. 20) in view of Hirabayashi (Col. 16 Lines 1-11) discloses a method, which comprises receiving information associated with the capability from the server in response to providing the selection and the payment information to the server.

Claim 23, Okubo (Section 0070, Fig. 2 El. 20) in view of Hirabayashi (Col. 16 Lines 49-66) discloses a method comprising receiving payment information associated with the selection from the user.

Claim 26, Okubo (Section 0077) in view of Hirabayashi (Col. 16 Lines 49-66) discloses a method wherein enabling the capability in response to receiving information associated with the capability from a server comprises upgrading software or hardware.

Claim 27, Okubo in view of Hirabayashi discloses a method receiving a selection of a capability associated with a functional unit from a user (Okubo: Section 0070, Fig. 2 El. 20); receiving from a server, information associated with the capability associated with the functional unit; and enabling the capability associated with the functional unit, in response to receiving from a server, information associated with the capability associated with the functional unit. (Hirabayashi: Col. 16 Lines 31-65).

Claim 28, Okubo (Section 0067,Lines 11-14) in view of Hirabayashi discloses a method wherein the capability associated with the functional unit comprises a facsimile capability.

Claim 29, Okubo (Section 0067,Lines 11-14) in view of Hirabayashi discloses a method wherein the capability associated with the functional unit comprises a scanner capability.

3. Claims 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okubo (2003/0058471) in view of Hirabayashi (7231369) and in further view Yacoub.

Claim 24, Okubo in view of Hirabayashi discloses all the limitations in claim 17 as discussed above including enabling the capability in response to receiving information associated with the capability from a server.

Okubo in view of Hirabayashi does not discloses wherein the system comprises changing a print speed of the print engine.

Yacoub discloses a system comprises changing a print speed of the print engine. (Col. 6 Lines 50-55). Therefore it will be obvious to one ordinary skilled in the art at the time of the invention was made to modify the technology as taught by Okubo in view of Hirabayashi with the technology of Yacoub which comprises changing the print speed

so that the user have the option of selecting the parameters of the print job as he desire as disclosed by Yacoub in Col. 6 Lines 50 –55.

Claim 25, Okubo in view of Hirabayashi discloses all the limitations in claim 17 as discussed above including enabling the capability in response to receiving information associated with the capability from a server.

Okubo in view of Hirabayashi does not discloses wherein the system comprises changing a print resolution of the print engine.

Yacoub discloses a system comprises changing a print resolution of the print engine. (Col. 7 Lines 55-65). Therefore it will be obvious to one ordinary skilled in the art at the time of the invention to modify the technology as taught by Okubo in view of Hirabayashi with the technology of Yacoub which comprises changing the print resolution so that the user have the option of selecting the parameters of the print job as he desire as disclosed by Yacoub in Col. 6 Lines 50 –55.

4. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Okubo (2003/0058471) in view of Hirabayashi (7231369) and in further view Takeo (6950205).

Claim 16, Okubo in view of Hirabayashi discloses all the limitations in both claims 9 and 10. Okubo in view of Hirabayashi does not disclose a system wherein the first capability comprises a renewal capability.

Takeo discloses a system wherein a user license is renewed when the maximum value of the charge counter is reached. (Col. 4, Lines 11-30, Fig. 4 and 5). Therefore it will be obvious to one ordinary skilled in the art at the time of the invention to modify Okubo in view of Hirahayashi system with Takeo's renewal technology so that members whose charge counter is at the maximum can reuse the service as taught by takeo in Col. 4 Line 25-39.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akwasi M. Sarpong whose telephone number 571-270-3438. The examiner can normally be reached on Monday-Friday 8:00am-5:00pm est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, HAI Tran can be reached on 571-272-7305. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AMS
11/21/2007

/Hai Tran/
Supervisory Patent Examiner, Art Unit 4178